

Deerfield, IL - Congressman Mark Kirk (R-Highland Park) announced Friday the Federal Railroad Administration (FRA) will be making an exception to the Chicago area when they publish their final rule regarding the use of train horns at railroad crossings. The rule will be published on April 27, 2005. FRA noted that much of the data collected for the Chicago area and the balance of Illinois were badly out of date and further inquiry was needed.

“This comes as great news to Chicago and many of its suburbs who would have been adversely impacted by this rule,” said Kirk. “I am confident that current data-analysis will show this rule does not need to be applied to local communities who have improved crossing safety and have established quiet zones.”

The FRA will arrange for an independent peer review of its conclusion on this issue before issuing an amendment to the Final Rule which will address Chicago Region crossings. Pending completion of the re-analysis, FRA is exempting existing Chicago Region no whistle crossings from the requirement to sound train horns. There is no timeline for this review to be completed.

When the FRA allowed public comment on their proposed Final Rule in 2004, they received hundreds of letters, a majority of them from the Chicago region, asking them to reevaluate their proposal due to outdated and flawed data. Under the existing rule, several municipalities in Kirk’s district would have to pay millions to upgrade safety equipment at railroad crossings in order to keep their quiet zones. The existing rule would have a huge impact on property values and trigger so much noise pollution that any benefits would be overwhelmed by costs.

Kirk rallied the Illinois Delegation to send a letter to the FRA last spring, urging FRA Chairman Alan Rutter to reevaluate the Interim Final Rule on the use of Locomotive horns at Highway-Rail Grade Crossings. The letter urged the FRA to include a waiver for the State of Illinois when the Final Rule was issued to allow Illinois to implement an alternative safety program.

“It appears the FRA listened to the people of Illinois, recognizing that while we must continue to improve safety for motorists and pedestrians traveling across rail crossings, we must also preserve the quality of life for residents who live near crossings,” said Kirk. “I applaud the FRA’s decision and will continue to work with the communities I represent to make sure their quiet zones stay intact.

Pending further rulemaking, communities with existing whistle bans will be subject to Illinois State law and railroads will be free to sound the horn where they elect to do so as is the case today. These communities include: Arlington Heights, Palatine, Wilmette, Highland Park, Highwood, Lake Forest, Buffalo Grove, and Vernon Hills

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